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		Application Number	10/720,595
		Filing Date	November 25, 2003
		First Named Inventor	Edward R. Dovner
		Art Unit	TBD
		Examiner Name	TBD
Total Number of Pages in This Submission		Attorney Docket Number	6353-102

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John A. Hamilton, Reg. No. 48,946
Signature	
Date	December 30, 2003

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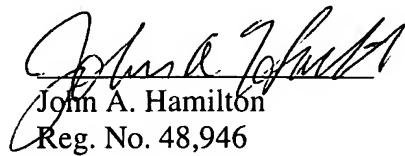
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John A. Hamilton
Reg. No. 48,946

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/720,595

Filed: November 25, 2003*

Applicants: Edward R. Dovner, et al.

Examiner: TBD

Attorney Docket No.: 6353-102

Confirmation No.: TBD

Title: RESISTIVE ELASTIC TUBE ASSEMBLY FOR EXERCISE DEVICE

PERKINS, SMITH & COHEN, LLP
One Beacon Street
Boston, MA 02108
(617) 854-4000

To: Mail Stop Petition
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PETITION TO CORRECT FILING DATE UNDER 37 CFR §1.10(d)

Sir:

Applicants of the above-identified patent application respectfully petition the Director for a correct filing date under 37 CFR §1.10(d).

REMARKS

On November 24, 2003, the above-referenced patent application was deposited with the U.S. Postal Service (USPS) to be delivered by the "Express Mail Post Office to Addressee" service of the USPS, using Express Mail Label No. EL449600880US (copy of Applicants' Utility Patent Application Transmittal form is enclosed). A "Track & Confirm" search

* This is the filing date accorded by the USPTO which Applicants believe is incorrect.

performed on the USPS website on the following business day revealed that the application was accepted by the USPS at Boston, Massachusetts on November 24, 2003 at 5:19 p.m. and delivered to the U.S. Patent and Trademark Office (USPTO) on November 25, 2003 at 9:45 a.m. (copy of the USPS "Track & Confirm" detail sheet enclosed).

Applicants subsequently received a return postcard (copy enclosed) indicating that the USPTO had accorded the application a filing date of November 25, 2003. Upon review of the Express Mail mailing label (copy enclosed), Applicants discovered that the "date in" entry as entered by the USPS was listed as November 25, 2003. Applicants believe this entry is incorrect. As evidenced by the USPS "Track & Confirm" detail sheet, Applicants believe that the application was deposited with the USPS on November 24, 2003 and delivered to the USPTO on November 25, 2003. Accordingly, as specified in 37 CFR §1.10(a)(1), Applicants believe that the filing date of the above-referenced patent application is November 24, 2003.

Applicants respectfully request a favorable decision regarding correction of the filing date in the above-referenced patent application, in compliance with the requirements of 37 CFR §1.10(d)

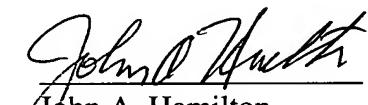
No fees are believed to be required for the submission of this petition. However, in the event that fees are required, the Director is authorized to charge such fees to Deposit Account No. 03-2410, Order No. 6353-102.

In accordance with Section 714.01 of the M.P.E.P., the following information is presented in the event that a call may be deemed desirable by the Director:

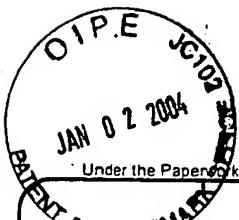
JOHN A. HAMILTON (617) 854-4000.

Dated: December 30, 2003

Respectfully submitted,
Edward R. Dovner, et al., Applicants

By: 
John A. Hamilton
Reg. No. 48,946
Attorney for Applicants

Enclosures



FILE

PTO/SB/05 (08-03)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	6353-102
First Inventor	Edward R. Dovner
Title	Resistive Elastic etc.
Express Mail Label No.	EL449600880US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

APPLICATION ELEMENTS		ADDRESS TO:	Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>20</u>] (preferred arrangement set forth below) <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies 	
ACCOMPANYING APPLICATION PARTS			
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) <input checked="" type="checkbox"/> Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: Patent Application Cover Sheet.....			

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner _____ Art Unit: _____
 For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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Signature	<i>John A. Hamilton</i>		Date November 24, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: 6353-102 Date: November 24, 2003
Serial No.: N/A Filed: Herewith For: Edward R. Dovner et al.
Title: Resistive Elastic Rube Assembly for Exercise Device

Please date stamp this card and return it to us to indicate that you have received the following documents.

Transmittal Form (1 pg); Fee Transmittal (1 pg, 2 copies);
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